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CRIME PREVENTION AND CRIMINAL JUSTICE

Letter dated 15 August 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

With reference to my notes dated 6 and 12 August 1994, to which I annexed a summary of the statements made by President Fidel Castro on Cuban radio and television on 5 and 11 August in connection with recent events in my country, I have the honour to request you to have both texts issued and circulated as official documents of the General Assembly under item 99 of the provisional agenda. An additional copy of these texts is enclosed herewith (see annexes I and II).

(Signed) Bruno RODRIGUEZ PARRILLA
Ambassador
Chargé d'affaires a.i.

* A/49/150.

ANNEX I

Report on the statement made by the President of Cuba on Cuban radio and television on 5 August 1994

President Fidel Castro that night condemned the United States for seeking to incite disturbances and to divide the population so as to provoke a bloodbath in Cuba with the ultimate aim of intervening in the island. "That is what the United States is dreaming of and longing for, and we really have to unmask this whole strategy," he said, in a special statement broadcast throughout the country by a national radio and television network.

He said that the incidents which had taken place that afternoon in a region of the capital, as well as the recent hijackings of Cuban vessels, were part of a United States plan. That plan involved the recording of bloody scenes, gun battles and deaths, so as to facilitate intervention attempts and provoke a bloodbath.

Cuba could not continue to guard the United States coast, as that was an untenable situation.

Cuba had solved the problem of aircraft hijackings for Washington by imposing severe penalties on the perpetrators of such acts and had even handed over two of them to the United States. Even though such hijackings had been a tool invented by the United States for use against the Revolution, Cuba was still holding a number of prisoners who had been punished for that crime. Currently, the hijacking of boats was not only a propaganda tool against the Revolution, but part of a subversive plan to create conflicts.

The Cuban leader explained that his presence that afternoon in some areas that had been the scene of popular confrontations with elements who had committed acts of vandalism stemmed from his desire to stand by the people in its fight against such antisocial elements. He added that he had also urged the population to remain calm and cool-headed because he knew the whole imperialist plan, their current strategy for liquidating the Revolution, by heart. They wanted violent scenes to take place; they wanted to see a bloodbath so that they could use it as a tool of propaganda and subversion and ultimately intervene in Cuba.

Fidel said that his Government did not need to do anything to make it easier for those who wished to leave the country to do so; he condemned the disturbances which had taken place in Cuba as stemming from a subversive strategy on the part of the United States. What was involved was a strategy based on encouraging and provoking illegal emigration through the stirring up of discontent in the highest degree and the creation of conditions that were leading the country to a bloodbath.

To that end, they were tightening the blockade, so as to increase Cuba's economic difficulties and lay the groundwork for ultimate intervention. The Revolution had never prohibited emigration from the national territory. He

recalled the early years, when nearly all of the doctors had emigrated, and steps had been taken to train medical personnel to replace those who had left.

In that connection, he recalled that the United States had blocked entry to its territory, violated the emigration agreement signed with Cuba and encouraged illegal flight from the country, culminating in such episodes as the Camarioca (1960s) and Mariel (1980s) exoduses; since then, Cuba had invested substantial resources in preventing illegal emigration and had, to a certain degree, become a coastguard for the United States. The Cuban leader stressed the importance of complying with international agreements and protecting people against the danger of putting to sea under risky conditions. The United States did not care what might happen; it was interested only in the propaganda value of such incidents.

Fidel emphasized that emigration policy had become more flexible in the past three years and that, currently, anyone who so wished could leave and enter the country; he warned Cubans that they could not continue to act as coastguards for the United States.

He referred to the events of 11 July, involving the hijacking of a ferry, and said that the United States was attempting to negate the facts and to accuse the Cuban Government of having provoked what had merely been an unfortunate mishap, occurring when dockworkers had attempted to prevent one of their boats from being stolen. He condemned the hypocrisy of that campaign, which was responsible for inciting similar incidents that had begun to occur repeatedly, for example, on 26 July and from 1 to 4 August, when firearms, knives and even hand grenades had been used in the hijacking of boats in Regla; the coastguards had decided not to prevent their departure, so as to avoid a mishap, since innocent people, especially children, had been aboard those vessels. He condemned the murder of a police officer in the theft of a boat on 4 August.

Because of illegal emigration, antisocial, lumpenproletariat elements who had never received legal authorization to enter the United States could do so through illicit channels. The manner in which they were received in the United States encouraged and emboldened them. Cuba would have to give instructions to its coastguards not to block the departure of vessels travelling to the United States or the arrival of vessels from the United States seeking to pick up relatives and other Cuban citizens. There was no other alternative. Cubans could not go on being coastguards for the United States or continue to bear responsibility while the United States bore none. He had said earlier, and repeated then, that unless steps were taken quickly to prevent illegal emigration from Cuba and to bar United States vessels from coming to Cuba, Cuba would have to stop blocking the departure of those who wished to leave.

Fidel said that Cuba rejected the United States threats, and warned that the Cuban people were prepared to fight if Washington attempted to implement a plan of genocide and intervention on the island. He reported a telephone conversation between the Chief of the United States Interests Section in the capital and the Ministry of Foreign Affairs in which the United States representative had made threatening remarks.

Sullivan had said that a serious situation might arise if the Head of State repeated on television statements made in the afternoon, in which he had raised

the possibility of lifting restrictions on the exodus of vessels to the United States or the arrival of others in search of relatives.

That decision would be taken if Washington did not stop encouraging the hijacking of vessels and illegal emigration from Cuba. Cuba was not in the least frightened by such threats; its people was sufficiently heroic to combat and resist any aggression. In his remarks, Sullivan had spoken of seeking a solution to the problem, which Cuba supported; however, that possible position had been combined with attempts to intimidate Cuba. Cuba confirmed all of its previous statements and informed the United States that the Cuban people was not to be intimidated.

One possible solution would be the lifting of the blockade, which was also a source of illegal emigration, as it was an attempt to crush the Cuban people through hunger and the lack of medicines. Cuba did not object to solutions if they were sincere and honest and contained formulations that stated what they meant; however, the United States should not threaten Cuba, because it would have to kill every last patriot and every last revolutionary.

ANNEX II

Report on the press conference given by the President of Cuba to a panel of Cuban television and radio journalists on 11 August 1994

Fidel said that his appearance was a continuation of the statement given on 5 August to cover another serious incident which had taken place on 8 August, involving a hijacking and a murder.

He described how military service recruit Leon Macías González had murdered Navy Lieutenant Roberto Aguilar Reyes in order to hijack a boat and go to the United States of America. He said that according to statements by the other three crew members of the ferroconcrete boat being used by the Revolutionary Navy to transport the members of Unit 4143 and the civilian personnel working at that military installation close to the port in question, the hijacker had boarded the vessel on the pretext that he had a medical certificate to deliver. On the way to the Unit, Macías González drew a revolver and fired twice at Navy Lieutenant Roberto Aguilar Reyes, who was sitting in the stern and, on being hit by the two bullets (one in the abdomen and the other in the head), fell mortally wounded into the sea.

The hijacker immediately compelled the other three members of the boat's crew - Yasimel Fernández Silva, Osmay Pérez Ramos and Arnel Batista Cruz - to sail to the wharf at the Mariel sand-pit, at which time it was boarded by about 10 people, according to the witnesses' initial statements. The hijackers then headed for the United States, and when they were 60 metres from the coast the murderer forced the three sailors to jump into the sea.

The ferroconcrete boat, 8 metres in length and with a beam of 3 metres, had no means of communication and no lights because it was not prepared for long voyages. On learning of the hijacking, the Cuban Frontier Troops sent a note to the United States Coast Guard giving it the details of what had taken place. He accused the United States authorities of behaving cynically, irresponsibly and dishonestly in their investigation of the hijacking of a boat and the murder of a Cuban Navy Officer.

"They (the United States Government) deliberately lied, and the search (for the body) created a situation of which they had taken advantage in the most incredibly cynical manner." He cited as examples reports published in the international press which cast doubt on whether the murder had taken place.

He recalled that the same day the events had occurred, the Cuban Frontier Troops had sent a message to the United States Coast Guard stating that the ringleader of the hijacking, Leonel Macías González, had murdered the captain of the vessel with two shots from a revolver.

He said that in order to find a genuine solution to the problem caused by illegal departures from the island, the United States should agree to discuss the strategy it had implemented in order to destroy the Revolution.

He stated that the current crisis could not be resolved by discussing only migration issues or returning some of the hijackers of Cuban boats or aircraft. "We are trying to prevent the cup from running over. They are creating the conditions for mass migrations, which will inevitably occur. Talks have taken place in the Interests Section with some of our officials on migration issues, but that does not solve anything because they do not put into effect anything of what they agree to.

"According to United States Attorney General Janet Reno, that country will only prosecute hijackers who engage in violence in the course of hijacking boats and aircraft. That is very general and vague, since it says nothing about the theft of the boats or about those who build makeshift boats and endanger the lives of those who use them. Reno's statements are determined by the need to comply with United States internal policy.

"The main instrument of the policy by which they encourage such acts is the criminal blockade that has been imposed and the attempt to starve our people into submission". He also noted as other reasons for the aggravation of the situation the thousands of hours of radio transmissions a week broadcast from United States territory and encouraging illegal departures, terrorism and violence.

"Discussing the matter seriously involves putting an end to the blockade and to the policy of encouragement to terrorism and crime, as well as settling the issue of the notorious Cuban Refugee Adjustment Act, which confers legitimacy on the illegal emigrations, whereas we punish them." He recalled that that Act had led to the absurd situation of Cubans arriving in United States territory illegally being favourably received, whereas a whole flotilla was being used to prevent the arrival of Haitian refugees and a wall had been built to block the entry of Mexican emigrants. "They have to go to the root of the problem if they want to solve it, discuss their current strategy aimed at destroying the Cuban Revolution and their efforts to prevent a bloodbath in the country, because this is much more serious than what is stated by them in public." He noted that a mass exodus of Cubans to the United States would complicate the situation and give rise to somewhat more acute tensions in the area.

He recalled, with reference to the mass emigration of Haitians that Washington was doing everything possible to halt, that to date the tensions had occurred with countries possessing very little defence capability, and that Cuba was not in that situation. "What they are doing now (the authorities in the White House), negotiating pieces of territory in which to warehouse Haitian citizens, has met with resistance even from tractable Governments in the region."

He described as savage and brutal the crowding together of some 16,000 Haitians in the Guantánamo naval base, a part of Cuban territory that was being shamelessly used on the basis of out-of-date, unjust and arbitrary agreements. That procedure, he said, created unrest and insecurity, since it exposed the population of that region of eastern Cuba to vector-borne transmissible diseases.

Those developments would not lead to any change in the policy being applied to Cuban emigrants resident abroad. He recalled that in the United States itself, there were many brave Cubans who had held firm amidst terror, harassment and hostility. He referred to the methods used by the fascist Mafia in Miami against those who had attended the meeting on "The Nation and Emigration", which were indescribable, incredible, worse than those used by the fascists in Germany.

Fidel called on the United States to extend to illegal Cuban immigrants the same treatment that was accorded to those coming from other countries. He recalled that the latter were not welcomed with flowers or met by coastguards on the high seas, and considered that the universally established principle should be applied to those who came from the Caribbean island after hijacking vessels and aircraft.

He analysed the various forms of emigration that existed in the underdeveloped countries, and especially in Latin America, indicating that their causes included economic problems and the hope of finding better opportunities in more developed nations. To those must be added, in Cuba's case, the promotion of illegal departures as part of a destabilizing plan, the resurgence of the blockade and the special period the country was going through as a result of the disappearance of the Soviet Union and the European socialist bloc. He pointed out that while the United States Interests Section in Cuba refused visas to those who requested them, at the same time they made propaganda out of those who arrived on rafts, and welcomed criminals with open arms. "They tighten the blockade against Cuba, and then they are horrified when mass emigration takes place."

On being questioned about what the reaction of the United States Government in relation to Cuba might be, he said:

> "I am not interested in the present Administration's reaction. The fact is that there are some sectors in the United States that are concerned. I am sceptical about this Administration's abilities and attitude. We have been honest with it, but its policy has not been a matching one. Before the elections, Clinton committed himself to supporting the Toricelli Act and the fascist Mafia in Miami. He inherited from Bush the policy on Somalia, and he was brave enough to change it six months later. We did not see the current United States Administration as a bad thing, but it has disappointed many progressive people in the world. I do not share the illusions of some friends who are trying to find some kind of settlement between Cuba and the United States. Unlike these friends, I have no illusions.
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> "It is our right and our duty to report these developments to international organizations."

He ended by giving information on the murdered Navy Lieutenant, Roberto Aguilar Reyes, to whom the Council of State has posthumously awarded the Orden Antonio Maceo. Reyes will be buried in his home town of Camagüey next Sunday, 14 August.